



#25/6/23/03
C. Moore

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Inventors: Gregory B. Arnold et al

Serial No.: 09/384,675

Filed: August 27, 1999

Title: PORTABLE PRINTER AND
DATA ENTRY DEVICE

Examiner: Mr. Jared Fureman

Group Art Unit: 2876

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231, on

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Sir:

In response to the Office Action dated May 27, 2003 please be advised as follows:

Regarding the last paragraph on page "2" of the Office Action dated May 27, 2003, please note that claims 37 and 38 were presented on August 29, 2002 and claims 37 and 38 appear in Exhibit A thereof. These claims were subsequently acted upon in the final Office Action of November 20, 2002. Claims 37 and 38 are not cancelled. In this regard the undersigned is in agreement with the Examiner.

The typographical error in the final Office Action can be taken care of in the Examiner's Answer. It remains the undersigned's position that Goodwin adds nothing of value to the Fukumoto reference because Goodwin et al do not teach

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"wherein each housing section includes one of the flanges", it being noted that the flanges are recited in parent claim 37 as "flanges at opposite sides of the housing providing a compartment to embrace a portable data entry device".

It is noted that upon review in the Appendix, line 6 "date" should be -data--. The error is regretted.

With respect to the grouping of claims, Appellant's Appeal Brief does, indeed, group the claims exactly as set forth in the final Office Action under "ISSUES" starting on page 7 and continuing for the entire page 8. It is not true as suggested by "the grouping of claims should be listed" that there is no listing of each and every one of the extensive number of groups created in the final Office Action. In that claim 37 is an independent claim and each of claims 38 through 56 is dependent on claim 37, claim 37 is argued and thereafter claims 38 through 56 is argued with respect to the applied reference. The same is done for claims 57 and dependent claims 58 through 60. Each of claims 61 through 72 is argued separately. Certain of the claims differ as to scope although expressed in different terms so the comments of one claim like claim 51 also apply to claim 52, but the Board will recognize the difference in scope and may make a distinction between these claims, and, therefore, the Board should have the option to consider claims that are different in scope and draw its own conclusions. It is also not correct that "the brief...does not present arguments in support thereof (for each

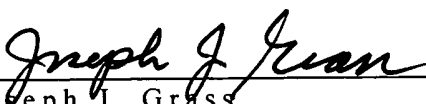
claim) in the argument section." The claims are extensively argued in the twenty-five page Brief (excluding the Appendix).

Moreover, while claims 51 and 52 are rejected over the same prior art namely, Fukumoto et al and Sherman et al (5,186,558), the Examiner has already admitted in the final Office Action that the recitations in claims 51 and 52 (which are added to the recitations) are not taught in Fukumoto et al, and the Sherman patent was never rejected on the features added by claims 51 and 52 and in this connection please note page 5, lines 3 through 12 of the final Office Action. The Examiner's contentions have been fully argued.

Reconsideration is respectfully requested.

The Examiner has not responded to or acknowledged the Supplemental Information Disclosure Statement filed May 6, 2003.

Respectfully submitted,



Joseph J. Grass
Attorney of Record
Reg. No. 19,768

June 5, 2003
Dayton, Ohio
Area Code 937
865-2012